THE HON'BLE SRI JUSTICE C.V. RAMULU

5th June, 2006

W.P.No.9139 of 2000

Between:

Smt.Bandla Chandra Neelamma .. Petitioner

And

The District Collector, Cuddapah District
& 3 others .. Respondents

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ORAL ORDER:

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Petitioner was appointed as a fair price shop dealer of Peda Lebaka village, Vallur Mandal of Kadapa district on temporary basis. Assailing the said Order, the 4th respondent filed an appeal. The Joint Collector, Cuddapah allowed the appeal and directed appointment of the 4th respondent as fair price shop dealer of the said shop. Challenging the same, the petitioner filed a revision before the 1st respondent-District Collector. The District Collector found that neither the petitioner nor the 4th respondent is entitled for appointment as fair price shop dealer and as such directed the Revenue Divisional Officer, Cuddapah to notify the vacancy afresh. Challenging the same, the present writ petition is filed.

Heard both sides.

It seems, the petitioner belongs to Scheduled Caste category. She was elected as MPTC Member and prior to that she was appointed as fair price shop dealer. Though she submitted a certificate showing her educational qualification, but it came to light that she does not know reading and writing and is an illiterate person. Further, she was elected as MPTC Member and as such, she was disqualified for being continued as a fair price shop dealer. Under those circumstances, her authorization was cancelled. The fact that the petitioner was elected as a member of MPTC is not in dispute. This itself is enough to hold that the petitioner is not competent to hold the authorization of a fair price shop. No ground is made out under Article 226 of the Constitution of India to interfere with the impugned Orders. The writ petition is devoid of merit and liable to be dismissed.

Accordingly, the writ petition is dismissed. No order as to costs.

05-6-2006

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